



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry Ryan Dennard Joe Giusti Stephen Holmes Ken Clark
County Judge Commissioner, Precinct 1 Commissioner, Precinct 2 Commissioner, Precinct 3 Commissioner, Precinct 4

AGENDA

July 5, 2016 – 1:30 PM

CONSENT AGENDA: ALL ITEMS MARKED WITH A SINGLE ASTERISK (*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

REGULARLY SCHEDULED MEETING

Call to Order

Invocation and Pledge of Allegiance

Consent Agenda

- *1. Submitted by Auditor's Office:
 - a. Approval of the Accounts Payable Checks dated 6/28/16 and 7/5/16
 - b. Order for Payroll period ending 6/29/16 Bi-Weekly #14
 - c. Order for Supplemental Payroll period ending 6/29/16 Bi-Weekly #14
 - d. Internal Audit Report of the Engineering Department for period of 5/1/15 - 4/30/16 with response letter from Michael C. Shannon, County Engineer
 - e. Internal Audit Report of the District Clerk's Registry and Trust Audit for period of 1/1/15 - 12/31/15 with response letter from Honorable John Kinard, District Clerk
 - f. Internal Audit Report of the cash count and inventory of Constable Precinct 1A - Bacliff
 - g. Internal Audit Report of Senior Services on behalf of the Department of Parks and Cultural Services for period of 5/1/15 - 4/30/16 with response letter from Julie Diaz, Director of Galveston County Parks & Cultural Services

- h. Internal Audit Report of the San Luis Toll Booth for period covered 5/1/15 - 4/30/16 with response letter from Mr. Mike Bell dated 6/23/16
- *2. Receive and file *Restitution Check List from Odyssey* submitted by Collections Improvement Program.
- *3. Receive and file *Refund Check List from Odyssey* submitted by the District Clerk.
- *4. Receive and file *Summary of Biweekly Personnel Movements pay period #13, June 2 - 15, 2016* submitted by Human Resources.
- *5. Receive and file *Appointment & Oath of Office for Deputy Constable* submitted by Human Resources on behalf of Constable Fullen.
- *6. Consideration of *adoption of updates to HR Policy Manual (News and Media Outlets)* submitted by Human Resources.
- *7. Receive and file *notice pursuant to H.B. 3059, Section 366.005 of Texas-New Mexico Power Company providing utility service to Galveston County* submitted by the County Judge.
- *8. Receive and file *application to dispose of oil and gas waste by injection into a formation not productive of oil and gas* submitted by the County Clerk.
- *9. Consideration of a *resolution recognizing July as Parks and Recreation Month* submitted by Parks and Cultural Services.
- *10. Receive and file *fully executed tender agreements between Galveston County, Texas Bonding Company, and each respective completion contractor and associated correspondence for the SRL projects on the following three properties: 1629 Dick Bay, San Leon; 1653 Dick Bay, San Leon; and 320 Empress Lane, League City*, submitted by County Legal.
- *11. Receive and file *full recovery of property damages to a Galveston County Mosquito Control vehicle in the amount of \$899.96* submitted by County Legal.
- *12. Receive and file *full recovery of property damages to a Galveston County Parks vehicle in the amount of \$3,398.41* submitted by County Legal.
- *13. Consideration of *approval to authorize the County Judge to sign a contract for election services between the County of Galveston and Friendswood ISD for the County Elections Division to conduct Friendswood ISD's September 10th TRE election* submitted by the County Clerk.

- *14. Consideration of *approval for Commissioners Court to approve the use of Countywide Vote Centers for the November 8, 2016 Presidential election* submitted by the County Clerk.
- *15. Consideration of approval to request *adjustments to the 2015 Port Security Grant Award and authorize County Judge to sign all required documents* as submitted by the Grants Manager.
- *16. Consideration for *authorization to dispose of Salvage or Surplus Property* submitted by the Purchasing Agent.
- *17. Consideration for *authorization to extend the contracts on the following bids* submitted by the Purchasing Agent:
 - a. Bid #B142017A Crushed Limestone Material
 - b. Bid #B142009 Altosid Liquid Larvicide 5% & 20%
- *18. Consideration for *authorization to issue a formal solicitation for the insecticide Malathion for the Mosquito Control Department's use* submitted by the Purchasing Agent.
- *19. Consideration of *approval of Citrix XenApps licenses with CDW* submitted by Information Technology.
- *20. Consideration of *approval of Hardware Support with Face to Face Live Inc.* submitted by Information Technology.
- *21. Consideration of *approval of Cisco Prime Infrastructure with GDT* submitted by Information Technology.
- *22. Consideration of *granting authority to County Judge to sign Trustee's Deed on the following tax foreclosed property* submitted by the County Judge:
 - a. **CAD#: 2075-0000-0002-000**
- *23. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:
 - a. **R120868** Merrell, Tom 2015(March Forward) \$30.55 (W)
R120868 Merrell, Tom 2015(March Forward) \$59.77 (R)

Action Agenda

24. County Auditor

- a. Consideration of approvals of: a) Master Interlocal Agreement for Cooperative Purchasing for Actuarial Shared Services with the North Central Texas Council of Governments (“NCTCOG”), and related b) Master Agreement with Gabriel, Roeder, Smith & Co. (“GRS”) to perform actuarial consulting services, pursuant to the requirement of the Governmental Accounting Standards Board’s Statement 43/45 (“GASB 43/45”).

25. **County Judge**

- a. Consideration of granting authority to County Judge to sign Trustee's Deeds on the following tax foreclosed property submitted by the County Judge:
 1. **CAD#: 3849-0000-0033-000**

26. **Emergency Management**

- a. Consideration of approving interlocal cooperation agreement between the City of Austin and Galveston County for short-term sheltering during a mandatory evacuation and authorizing the County Judge to execute same.

27. **Professional Services**

- a. Consideration of approval of the following budget amendments:
 1. 16-110-0705-A
Sheriff's Dept. - Request transfer from Sheriff's Department Patrol Division Administrative Supplies to Patrol Division Extraordinary Supplies for purchase of compact digital cameras.
 2. 16-111-0705-B
Sheriff's Dept. - Request transfer from General Fund Budgeted Reserves to Sheriff's Department Administration for vehicle maintenance.
 3. 16-112-0705-C
Sheriff's Dept. - Request change in title from Collections Clerk to Cashier/Collections Clerk and change in step and grade from 12A to 11A.
 4. 16-113-0705-D
Sheriff's Dept. - Request transfer from General Fund Budgeted Reserves to Sheriff's Department ISD Division for additional personnel associated with the contract with Texas City for the remainder of FY 2016
 5. 16-114-0705-E
Professional Services - Request transfer from General Government Other Contract Services to allocate funds for Gabriel, Roeder, Smith & Co-

contract

6. 16-115-0705-F
Mediation Fund - Request transfer from Mediation Fund Budgeted Reserves to Mediation Services for the rest of FY 2016
7. 16-116-0705-G
Emergency Management Fund - Request transfer from Emergency Management Fund Budgeted Reserves to Emergency Management Fund Marketing and Advertising account for hurricane billboard
8. 16-117-0705-H
Emergency Management - Request reclassification of Emergency Management Contract Services for contract for a disabilities consultant to ensure compliance and partnership within all County emergency plans

28. **Purchasing**

- a. Consideration of approval of awarding the following RFP and authorizing the County Judge to execute the contract for:
 1. RFP #B162010 Janitorial Services for Galveston County
- b. Consideration of approval to execute a contract with Crop Production Services regarding RFP #B162007 Weed and Brush Control Chemicals.

29. **Road and Bridge**

- a. Consideration of approval to enter into an interlocal agreement with the City of Hitchcock, for the use of county equipment known as Galveston County's Gradall Unit # 501.

30. **County Legal**

- a. **Break into Executive Session:**
- b. Executive Session: Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to proposed contract for provision of consulting services to Emergency Management regarding incorporation of material concerning people with disabilities into the Galveston County Emergency Operations Plan.

- c. Executive Session: Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:14-CV-00186, Tomasa Duran v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- d. Executive Session: Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:14-CV-406; Raymond Benoist vs Galveston County and Henry Trochesset, Individually and in his Official Capacity.
- e. Executive Session: Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:16-CV-00065, Diane Jacobs, et. al. v. Henry Trochesset, et. al. in the U.S. District Court for the Southern District of Texas, Galveston Division.
- f. Executive Session: Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to Cause No. 15-0993, Hon. Mark Henry, v. Hon. Lonnie Cox, in the Supreme Court of Texas.
- g. Executive Session: Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of-

the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 14-CV-1289, Bonnie Quiroga v. Galveston County, in the 212th Judicial District Court.

- h. Executive Session: Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to the Texas General Land Office and Rollover Pass.
- i. Executive Session: Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to claims on bonds in the County's Severe Repetitive Loss Elevation Program.
- j. **Reconvene Into Regularly Scheduled Meeting.**
- k. Consideration of approval of agreements in each of the following homes in the Severe Repetitive Loss Elevation Program for which Expert House Movers served as the Elevation Contractor and in which claims on performance bonds have been made to complete each project and authorizing County Judge to execute such agreements: these remaining projects are at 7026 Terrasso Drive, Hitchcock.
- l. Consideration of authorizing the County Judge to execute a professional services agreement with Deborah Nowinski for provision of disability consulting services to Emergency Management.
- m. Consider authorizing County Legal to pay into the registry of the Court the amount of the Special Commissioner's Award and authorize payment of any fees due to the Special Commissioners in Cause No. CV-0076026 County of Galveston v. Gulf Coast Rod, Reel and Gun Club, Inc.

Adjourn

WORKSHOP AGENDA

1. Budget workshop discussion

Appearances before Commissioners Court

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

Executive Sessions

The Galveston County Commissioners Court may recess into closed meeting (Executive Session) on any item listed on this agenda if the Executive Session is authorized under the Open Meetings Act pursuant to one or more the following exceptions: Tex. Gov't Code §§ 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding a prospective gift or donation), 551.074 (personnel matters), 551.0745 (personnel matters affecting County advisory body), 551.076 (deliberation regarding security devices or security audits), and/or 551.087 (deliberations regarding economic development negotiations). The Presiding Officer of the Commissioners Court shall announce the basis for the Executive Session prior to recessing into Executive Session. However, the Commissioners Court may only enter into the Executive Session on any agenda item for which a separate Executive Session has not been separately posted if, prior to conducting the Executive Session, a majority of the Commissioners Court votes to go into Executive Session. This motion requirement does not apply to any agenda item that has been previously noticed to constitute or include an Executive Session.
